Remarks

Reconsideration and allowance of the above referenced application are respectfully requested.

Claims 1-9 stand rejected under 35 USC 112, second paragraph, as being indefinite. These claims are amended herein for definiteness and to obviate the Examiner's specific objections.

Nonelected claims 10-25 have been canceled herein without prejudice to the filing of a divisional thereto.

A number of new claims are added which depend from claim 1. In addition, new claim 33 is added, which is within the elected group, since it is a claim of the general form of claim 1, however using the word "set" in place of --modules--.

Claim 1 stands rejected under 35 USC 102 as allegedly being anticipated by Vanderveldt. Claims 2-9 stand rejected based on Vanderveldt in view of official notice. The claims are amended to obviate this rejection. As amended, it is respectfully suggested that the rejection does not meet the patent office's burden of providing a prima facie showing of unpatentability.

Vanderveldt shows a system where data mining is used to drive a dynamic search engine which has search tools to query a database. As explained, for example, in column 4, the dynamic search engine can get information from any

database or from proprietary databases, see column 4 lines 38-42. Column 4 lines 43-53 describe that the relevance of a searched article to an entered search is assessed based on both the searcher's profile, and also on the search.

However, unlike the system of Vanderveldt , claim 1 describe a formation of different databases that the specification calls "horizontal". See, for example, the specification page 12 which describes this so called horizontal approach. According to this horizontal approach, the "modules" are arranged and segregated to have different kinds of information for that specific lifestyle. An advantage of this system is that the modules store that lifestyle-segregated information. The system can determine the lifestyle, and select the different databases or modules for information about that lifestyle. The user can searches the module that was already selected based on the user's lifestyle determination. This produces a system where an entered search returns information based not only on the search terms – but also on the determined lifestyle information that has not been entered. The lifestyle information selects a specific module to be searched – rather than, as in Vanderveldt, which uses demographics as just another parameter to determine relevance of a document.

Consider the difference and advantage of the present system. When a user searches a search engine, they get returned results based on the search term. However, a 9 year old girl might be the same results as a 24 year old boy. A bear

hunter gets the same results as a lifelong vegan pacifist. Vanderveldt might further characterize the results based on the data mined information – but certainly does not choose a wholly different section to search based on that information, as claimed.

The present system characterizes the person entering the search, and uses that to select a data set to search. This produces a more targeted search than the prior art with fewer, but better matched, results.

Vanderveldt simply describes searching a generic database using demographic information. The subject matter now emphasized by the claims is not in any way disclosed therein, and therefore, claim 1 should be allowable for these reasons.

The dependent claims 2-9 stand rejected based on official notice. With all due respect, however, these claims show that the different modules can have different information for the different demographics. This is far from obvious, since nothing in the prior art discloses different modules with this different client of information. This is also emphasized by the new dependent claims 28-31.

Claims 32 defines that there is a unique identifier indicative of the lifestyle. This may facilitate the searching.

Claim 33 should be allowable for reasons discussed above, since nothing in the prior art discloses this, as described above.

10

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

For all of these reasons, it is respectfully suggested that all of the claims should be in condition for allowance. A formal notice of allowance is hence respectfully requested.

If the Examiner believes that communications such as a telephone interview or email would facilitate disposal of this case, the undersigned respectfully encourages the Examiner to contact the undersigned.

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail (using the email address harris@schiplaw.com). I understand that a copy of these communications will be made of record in the

application file.

Please charge any fees due in connection with this response, (excluding

those concurrently paid via EFS), to Deposit Account No. 50-4376.

Respectfully submitted,

Date: _5/6/2009_____   _____/Scott C Harris/_____
                                          Scott C. Harris
                                          Reg. No. 32,030

Customer No. 74162
Scott C Harris, Esq.
Law Office of Scott C. Harris, Inc.

SCHIPLAW

P.O. Box 1389
Rancho Santa Fe, CA 92067
Telephone: (858) 756-7778
Facsimile: (858) 756-7717